

No. 11196-4Lab-75/30316. —In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Dujodwala Industries, Mathura Road, Faridabad:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 218 of 1974

between

THE WORKMEN AND THE MANAGEMENT OF M/S DUJODWALA INDUSTRIES,
MATHURA ROAD, FARIDABAD.

AWARD

By order No. ID/FD/74/40238, dated 12th December, 1974 the Governor of Haryana, referred the following dispute between the management of M/s Dujodwala Industries, Mathura Road, Faridabad and its workmen to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

- (1) Whether the workmen are entitled for bonus for the year 1972-73? If so, with what details?
- (2) Whether the workmen are entitled to the grant of dearness allowance? If so, at what rate?
- (3) Whether the workmen are entitled to the supply of uniforms? If so, with what details?

Usual notices of the reference being sent to the parties, they appeared before this Tribunal on 26th September, 1975.

Shri Bhim Singh Yadav, authorised representative for the workmen made a statement withdrawing the demand raised by the workmen on the management as per instructions of the latter. It is thus obvious that there is now no dispute between the parties requiring adjudication. I return a no dispute award.

MOHAN LAL JAIN,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Dated 26th September, 1975

No. 10971-4Lab-75/30318.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workman and the management of M/s Wear Well Cycle Company, Private Limited, N. I. T. Faridabad.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 62 of 1975

between

Shri Ram Dass workman and the management of M/s Wear Well Cycle Company, Private Limited, N.I.T Faridabad.

Present :—

Neither party present.

AWARD

By order No. ID/FD/75/14151, dated 10th March, 1975, the Governor of Haryana, referred the following dispute between the management of M/s Wear Well Cycle Company, Private Limited, N.I.T.

Faridabad and its workman Shri Ram Dass to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Ram Dass was justified and in order? If not, to what relief is he entitled.

No body is present for the workman, Shri Ram Lal Sharma, representative of the workman was directed on the last date of hearing to appear before me. None is present for the management deposite service of notice of reference being served on them.

It seems that the parties are not interested in pursuing the reference and there is now no dispute between them requiring adjudication. I as such return a no-dispute award.

MOHAN LAL JAIN,

Dated the 20th August, 1975.

Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 10927-4Lab-75/30320.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Krishna Rice Mills, Kuldip Nagar, Ambala Cantt.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 62 of 1972

between

SHRI GOKAL CHAND AND THE MANAGEMENT OF M/S KRISHNA RICE MILLS,
KULDIP NAGAR, AMBALA CANTT.

AWARD

By Order No. ID/Amb/232-A-71/5821, dated 14th February, 1972 of the Governor of Haryana, the following dispute between the management of M/s Krishna Rice Mills, Kuldip Nagar, Ambala Cantt and its workman Shri Gokal Chand was referred for adjudication to this Court, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of services of Shri Gokal Chand was justified and in order? If not, to what relief is he entitled?"

Usual notices of the reference being sent to the parties, he appeared before the court.

Whereas the workman filed the statement of claim that his services were terminated on 1st June, 1971 without assigning any reason, as a result of grudge nursed against him by the management, the later filed a written statement that the former voluntarily abandoned his services.

The following issues were framed on pleas of the parties,—vide order dated 14th April, 1972 of my learned predecessor Shri O. P. Sharma the then Presiding Officer of the Labour Court.

1. Whether the workman voluntarily abandoned his services and so the reference is not valid?
2. What is the effect of the allegations made by the applicant in his application under section 33-C(2) on this reference that the respondent concerned has been closed and he is entitled compensation under section 25 FFF?
3. If the above issues are found in favour of the workman whether the termination of services of Shri Gokal Chand was justified and in order? If not, to what relief is he entitled?

The management could not adduce any evidence in support of issue No. 1 despite many opportunities being given to them in that behalf. The case was fixed for recording evidence of

the management on 15th September, 1975 when a telegram was received that management could not put in their appearance on grounds of ailment. The name of the person alleged to have fallen ill, being not stated in the telegram, *ex parte* proceedings were taken against the management on that date. Costs awarded to the workman,—vide orders dated 14th February, 1973 and 24th July, 1974 also remained unpaid. This was, therefore, considered a case of malafides of the management and their intention to un-necessarily prolong the disposal of the case.

The workman in *ex parte* evidence made his own statement while deposing that he served the management for 2 years and 8 months and his services had been terminated without assigning any reason. He added that he had not been gainfully employed after the date of termination of his service and he could not get a job despite best efforts made by him. I see no reason to disbelieve his testimony particularly when the proceedings against the management are *ex parte*.

I thus relying on his evidence hold that the termination of his services of the workman was un-justified and he is entitled to full back wages w.e.f. 1st June, 1971 with continuity of service. I return the award accordingly with no order as to costs.

Dated 17th September 1975.

MOHAN LAL JAIN.

Presiding Officer,
Labour Court, Haryana,
Rohtak.

P. P. OAPRIHAN,

Commissioner and Secretary to Government,
Haryana, Labour and Employment Department.